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Leak Probe Resolution Is Divisive

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Last week's hurry-up House vote to investigate the leak of the CIA report is causing divisions among members over how the inquiry should proceed and what it should look for.

Minority Leader John J. Rhodes (R.-Ariz.) said yesterday that the House Standards of Official Conduct Committee should be concerned only with identifying "the member of Congress or staff member" who was the original source of the leak of a draft copy of the House intelligence committee report.

But sponsors of the probe resolution and some members of the standards committee consider that at least an equal target of their inquiry should be CBS newsman Daniel Schorr, who admits obtaining the report from some unidentified source and passing it on for publication by the Village Voice in New York.

Speaker Carl Albert (D.-Okla.) challenged Rhodes' premise that the original leak to Schorr came from the House, saying the committee should look for the leak in the executive branch and not just investigate the House and press. The intelligence committee had given a copy of its report to the CIA, and copies were said to have been circulated widely in the executive branch.

The ethics committee is considering borrowing FBI agents to conduct the investigation or part of it. Chairman John J. Flynt Jr. (D.-Ga.) said he considered the FBI an "excellent source for investigative manpower."

But Albert said, "It doesn't strike me as a very good practice" for Congress to call on an agency of the executive branch to conduct an investigation that in part will be an investigation of Congress.

These questions of the scope and direction of the investigation will be the subject of further House debate, probably next week. Flynt has introduced a resolution making clear that his committee, whose permanent jurisdiction is limited to investigating House members and employees, is empowered to subpoena whatever it needs to determine how the report found its way into print.

Rhodes called Schorr's action "reprehensible," but said "His situation is the internal business of his network. Congress should only be concerned at this point with Congress." CBS has suspended Schorr with pay.

Rhodes suggested that the ethics committee should give Schorr "a formal opportunity to volunteer his source. Should he refuse to disclose his sources, so be it. That is his prerogative as a newsman."

Twelve House Democrats joined Rep. Bella S. Abzug (D-N.Y.), who chairs the House Subcommittee on Government Information and Individual Rights, in issuing a statement warning that the effect of action against Schorr—which could include being cited for contempt of Congress or losing his congressional press credentials—would be to "strengthen the forces of secrecy that have concealed from the American people facts that they have a right to know."

They said Schorr was not bound by the House decision not to release the report, and they commended him for "an act of conscience" in helping make it public.